

COMMENTS FROM STEVE MARTIN AND WDFW REPLY

From: Steve Martin [<mailto:steve@snakeriverboard.org>]

Sent: Thursday, March 15, 2012 12:15 PM

To: SEPADesk (DFW)

Subject: comments on Wooten Wildlife Area Floodplain Restoration Project

Name of Proposal: # 12-012 WOOTEN WILDLIFE AREA FLOODPLAIN RESTORATION PROJECT

Thank you for the opportunity to review and comment.

I question why it is an MDNS and not a DNS since this project is a mitigation project to restore floodplain conditions.

I suggest the following BMP be more explicit

Best management practices:

1. Projects will be constructed during the In-Water Work Window to minimize impacts on fish life.

This needs to be more explicit because I understand that some of the work will not be in the river/below OHW yet the statement in the BMP says projects will be constructed during the in-water work window – they don't need to work within the fish window to remove the Quonset hut for example. Perhaps this could be more explicit by stating that " projects occurring within the OHW will be constructed during the in-water work window".

I would also suggest that flexibility to the work window be allowed at the discretion of the area habitat biologist and district fish biologist because there may be circumstances that warrant construction activities "a day before or a day after" the work window closes. This would be on a case by case basis depending on the magnitude of the activity (maybe a LWD needs to be installed outside the work window but below the OHW) but the LWD is primarily on the floodplain and only the tip of the tree or the lower half of the rootwad will actually be in the river.

Thanks again and I support the SEPA determination but if possible suggest it be a DNS.

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WDFW REPLY TO STEVE MARTIN

From: SEPADesk (DFW)
Sent: Thursday, March 15, 2012 1:37 PM
To: 'Steve Martin'
Subject: RE: comments on Wooten Wildlife Area Floodplain Restoration Project

Steve,

Thank you for your comments. You are correct on the timing of in-water work not effecting work outside the ordinary high water mark and if conditions allow, and area fish biologist concurs, there can be modifications to the dates on the Hydraulic Project Approval and time extensions can be given. One should not plan on time extensions being available as they do depend upon conditions at the time indicating no impacts to fish life.

We run WDFW's larger restoration projects (estuarine as well as riverine) as Mitigated Determinations of Non Significance that outline upfront mitigation measures because of possible public concerns.

When there is misunderstandings on what the project is and mitigation measures incorporated, and the determination and/or permit is appealed, we have had projects prevented or significantly delayed. As a general rule of thumb, for WDFW SEPA determinations, we do Mitigated Determinations of Non-Significance for stream restoration projects over a mile in length. Mitigated Determinations of Non Significance require us to do a little more upfront work and explain mitigation but they have the same review time (14 days).

Thank you again for your rapid response.

Bob

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